

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

GEOFFREY M. BANKS,	:	
	:	CASE NO. 1:14-CV-01945
Petitioner,	:	
	:	
v.	:	OPINION & ORDER
	:	[Resolving Doc. 8]
JASON BUNTING, Warden,	:	
	:	
Respondent.	:	

JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

Petitioner Geoffrey Banks moves to dismiss, without prejudice, his Petition for Writ of Habeas Corpus under 28 U.S.C. § 2254.^{1/} On May 18, 2015, Magistrate Judge Kathleen B. Burke issued an Interim Report and Recommendation (R&R) recommending that the Court deny Banks' motion.^{1/} Banks has not filed an objection to the R&R.

The Federal Magistrates Act requires a district court to conduct a *de novo* review only of those portions of an R&R to which the parties have made an objection.^{2/} Parties must file any objections to an R&R within fourteen days of service.^{3/} Failure to object within that time waives a party's right to appeal the Magistrate Judge's recommendation.^{4/} Absent objection, a district court

^{1/}Doc. [8](#).

^{1/}Doc. [11](#).

^{2/}[28 U.S.C. § 636\(b\)\(1\)](#).

^{3/}[N.D. Ohio L.R. 72.3\(b\)](#).

^{4/}*Id.*; see [Thomas v. Arn](#), 474 U.S. 140, 145 (1985); [United States v. Walters](#), 638 F.2d 947, 949-50 (6th Cir. 1981).

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may adopt the Magistrate Judge's report without review.^{5/}

Accordingly, the Court **ADOPTS** Magistrate Judge Burke's findings of fact and conclusions of law and incorporates them fully herein by reference. The Court **DENIES** Banks' motion to dismiss his petition without prejudice.

IT IS SO ORDERED.

Dated: June 15, 2015

s/ James S. Gwin
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE

^{5/}Thomas, 474 U.S. at 149.